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ABSTRACT

This paper presents recommendations designed to ensure that limited-English-proficient (LEP) children are included in proposals embodied in "Goals 2000." These are as follows: persons knowledgeable about the education of LEP students should be included in national, state and local panels; all educational reform activities should address the needs of LEP students; content standards should reflect the best knowledge about how LEP students learn and how the content can be taught most effectively to them, and should include foreign language standards to accommodate the native language of students; states should develop performance assessments appropriate for LEP students and should evaluate the extent to which schools implement core standards; states should also develop accountability systems that incorporate LEP students; research and development is needed on issues related to instruction, opportunity-to-learn, and assessment that are specific to LEP students; issues regarding participation of Native American governmental groups in the "Goals 2000" process should include the participation of tribes in the formulation and coordination of plans relating to their culture; and the Department of Education should meet with Native Americans regarding implementation of "Goals 2000." Two appendices provide specific recommendations, and a list of participants at two meetings on systemic reform and LEP students. (CK)

FOCUS

ED 379 922

FOR ALL STUDENTS: LIMITED ENGLISH PROFICIENT STUDENTS AND GOALS 2000

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For All Students: Limited English Proficient Students and Goals 2000[1]

Executive Summary

The following recommendations are offered to ensure that limited English proficient (LEP) children are considered—and included—in sweeping proposals now embodied in *Goals 2000.*

Inclusion at All Levels

It is essential that persons knowledgeable and concerned about the education of LEP students be included in national, state, and local panels and be encouraged to attend public hearings and participate in evaluative and analytical studies of programs that include LEP students. LEP students must also be included in all aspects of reform activities. For example, state and local plans should address the unique needs and contributions of LEP students.

The Standards and the Opportunity to Achieve Them

The content standards should reflect the best available knowledge about how LEP students learn and about how the content can be most effectively taught to them. Moreover, they should incorporate the cultural background and life experiences of culturally diverse children.

Because limited English proficient students have to acquire English language skills and knowledge that students who arrive in school speaking English already possess, supplemental performance and assessment standards should be developed, as well as teaching standards for English as a second language teachers. In addition, content standards in English must be certified that are calibrated to aspects of the language that need to be learned by English as a second language (ESL) students, but are otherwise not addressed by content standards for English language arts. The relationship between these new ESL standards and content standards in English language arts will need to be worked out through future research/development efforts and collaboration between groups that are developing standards in these areas. The content standards for English as a second language should be accompanied by standards for teaching and assessment.

The standards should also acknowledge the importance of the abilities in the non-English languages of LEP students, through the development of foreign language standards that accommodate these students who speak the foreign language as a native language.

We recommend the certification of additional performance standards in the content areas to measure the progress of LEP students until they

[1] This paper is based on several meetings on LEP students and systemic education reform that have taken place over the past two years, and the documents that have resulted from them. These include meetings of the *Stanford Working Group on Federal Education Programs for Limited-English-Proficient Students* and its resulting document, *Blueprint for the Second Generation* (sponsored by the Carnegie Corporation of New York); two Washington, DC, meetings on Standards and Assessment and LEP Students and a meeting summary document (sponsored by the U.S. Department of Education, the Carnegie Corporation, and the MacArthur Foundation); and regional meetings to discuss the implications of systemic reform on the education of LEP students at the local and state levels (sponsored by the MacArthur Foundation and the Carnegie Corporation). A list of participants at the Washington meetings on Systemic Reform and LEP students is included in Appendix B. The document was drafted principally by Diane August, with editorial assistance from Kenji Hakuta and Delia Pompa, and innumerable contributions from the participants in our meetings, as well as other experts in the education of LEP students.

can be classified as fully English proficient and thus held to the same performance standards as native English speakers.

Setting high expectations for all children will further the cause of educational equity, provided that appropriate, high-quality instruction and other essential resources are available. We propose that States establish a multi-faceted approach to enhancing opportunities to learn with provisions to ensure that the unique educational needs of LEP students are met. This approach should include both the enforcement of a core set of standards as well as the use of "indirect" strategies to build the capacity of schools and school districts, and continuing study of the effectiveness of the various kinds of programs that will be developed.

Assessment

If LEP students are not assessed, no one can really be held accountable for what these students know and can do in important content areas. Thus, we recommend that states develop performance assessments that are appropriate for LEP students.

LEP students who are instructed in their native language should be assessed in that language. LEP students who are better able to demonstrate content knowledge in their native language, even though they have not received native language instruction, should also be assessed in their native language. The native language assessments should parallel content assessments and performance standards in English. States with substantial numbers of LEP students in given language groups should include a process in their state plan for developing or borrowing (from other states or entities such as large school districts with substantial LEP students) content area assessments in languages other than English.

Modifications in assessments and assessment procedures should be encouraged to enable LEP students to take content assessments in English. These modifications might entail: altering the procedures used to administer the assessments; modifying the assessment itself so it is more comprehensible to LEP students; using alternative assessments; and employing computer-assisted assessments that are tailored to the language needs and content knowledge of LEP students. In all instances, however, it is important to ensure that assessments are equivalent in content and rigor to those used to measure the progress of fluent English speakers. It is not imperative that these assessments be the same as those given to fluent English speakers. However, to gauge the progress of LEP students, the assessments must remain comparable over time.

Until the psychometric issues underlying these assessments have been addressed, and until mechanisms to ensure opportunities to learn have been fully implemented, these assessments should not be used in high stakes testing for students disaggregated by LEP status.

In keeping with the opportunity-to-learn model proposed in this paper, we recommend that states evaluate the extent to which schools and districts implement the "core standards" as well as the merit of indirect strategies in improving LEP student access and participation in high quality learning.

Accountability

States should develop systems of school and LEA accountability that fully incorporate LEP students. Performance assessments that are developed should be administered to a sample of students adequate to provide statistically stable estimates for schools and subgroups of students below.

In the case of LEP students for whom adequate assessments in the native language are not available and for whom English language assessments are inappropriate, schools may choose to waive content performance assessments conducted in English. However, states must use alternative

methods to hold schools accountable for the progress of LEP children who have not been assessed. One option is to require schools to count LEP student assessment scores as zero for these students. Another option is to monitor the progress of LEP students through other means such as teacher ratings and grades.

States should set a limit on how long LEP students can be waived from taking the same performance assessments in English as their English-speaking peers. This should be based on their English proficiency levels rather than years in school or in English-only programs.

States should collect and report data on students' performance in the content areas for the school, district, and state as a whole, disaggregated by LEP status of the students. In so doing, states should determine what constitutes adequate progress for all students, including LEP students. In making this determination, states should consider the results of the required assessments as well as other measures of school success, such as grade retention and dropout rates. In cases where LEP students fail to make adequate progress, the state should take corrective action, including but not limited to ensuring the implementation of opportunity-to-learn standards.

Research and Development

There is a considerable need for research and development if LEP students are to be equitably and fully incorporated into systemic reform. Many of the research and development issues apply to all students, e.g., how to ensure that schools have the resources to educate students without creating an excessively prescriptive accountability system, or how to make alternative performance assessments sufficiently reliable and valid such that they can be used for accountability purposes. Certain issues related to instruction, opportunity-to-learn, and assessment that are specific to LEP students and that need research and development are elaborated in the paper.

Native American Issues

Two major issues related to the participation of Native American governmental groups in the *Goals 2000* process include (1) the participation of tribes in the formulation of plans, standards, and assessments in the areas of Native American language and culture, and (2) the role of tribes in coordinating such plans, standards, and assessments across district or state lines. In *Goals 2000*, Native American governments and their tribal education departments[2] seem to have been inadvertently marginalized or excluded.

We recommend, therefore, that in schools or districts with substantial minority or majority populations of Native American children from a given tribe, the appropriate departments of education as well as the parents of these children be involved in formulating educational plans, standards, and assessments, especially as they relate to the language and culture of these tribes. We further recommend that tribal divisions of education, as well as parents of Native American children, help coordinate Native American language and culture plans, standards, and assessments across districts and states where there are schools with majorities or substantial minorities of students from a given tribe. The educational unit with which the tribal government collaborates will depend upon the distribution of Native American students from any given tribe.

Finally, to address these complex issues and possible solutions, we recommend that the Department of Education convene a special meeting of representatives from the Native American community, including tribal departments of education, to further discuss the implementation of *Goals 2000* (and the Improving America's Schools Act—IASA) for Native American students.

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[2] The term "tribal education department" refers to that part of a tribe's government, if any, that deals mainly with education. It does not refer to the Indian Education Department of a state government.

National Skill Standards Board

The National Skill Standards Board (Title V of *Goals 2000*), is required to endorse voluntary skill standards that are not discriminatory with respect to, among other things, race, color, ethnicity, or national origin, consistent with federal civil rights laws. To ensure that LEP students have access to the full range of skills to prepare them for employment at every level, we recommend that the National Skill Standards Board include persons with expertise in preparing LEP students for the workforce, with special consideration given to individuals from organizations, agencies, and institutions that have historically been involved in educating language minority students for the workplace. Voluntary partnerships, established to develop standards in identified occupational clusters, should also include persons with expertise in the education of LEP students. Further, we recommend that the skill standards that are developed be responsive to LEP students.

Title V authorizes research, dissemination, and coordination to support the work of the voluntary partnerships and the Skill Standards Board. We recommend that research be conducted to determine how best to prepare LEP students to attain the skill standards. In addition, research on how to assess these students to determine if they have met the skill standards is urgently needed. Moreover, there must be a serious effort to develop and adapt curricula and training materials for limited English proficient students that will enable them to meet the skill standards. Finally, because very few organizations have experience with LEP students, technical assistance must be provided to the voluntary partnerships to enable them to develop skill standards and assessments that meet the unique needs and strengths of limited English proficient students.

The law requires a nondiscriminatory assessment and certification system with respect to race, color, gender, age, religion, ethnicity, disability, or national origin. We recommend that assessments of workforce skills be developed and conducted in the native languages of students substantially represented in the United States so that LEP students can demonstrate workplace knowledge and skills in their native language. We also recommend the development of assessment procedures to determine that LEP students have sufficient English proficiency to successfully communicate in the workplace. English proficiency should also include facility in the language specific to a given profession.

Finally, in evaluating the implementation of skill standards, and assessment and certification systems, we recommend that the evaluations address the extent to which LEP students succeed at meeting the skill standards.

For All Students: Limited English Proficient Students and Goals 2000

A Discussion Paper [3]

The parade marking the advent of standards-based reform has left town hall. On March 31, 1994, President Clinton signed into law the *Goals 2000: Educate America Act*, an Act that codifies in law the national education goals and provides resources to states and communities to develop and implement systemic education reforms aimed at helping all students reach challenging academic and occupational standards.

Already, there are many endeavors to develop content and performance standards in different academic areas and to create assessments that are aligned with these standards. Content standards are being developed or have been developed by professional organizations of teachers and scholars in English, mathematics, science, history, geography, foreign languages, citizenship/civics, the arts and other subjects. The *New Standards Project* is developing and field-testing innovative assessments tied to some of the new content standards.

States and districts have also been very involved in some aspects of systemic reform. At least 45 states have created or are preparing new curriculum frameworks, while at least 26 states and the District of Columbia will be dealing with educational standards in 1994.[4] New York City, under the guidance of Schools Chancellor, Ramón Cortines, has undertaken the development of a curriculum framework for all the city's public schools. According to the Chancellor, standards are needed to address vast differences in the material taught to certain grades in each of the city's schools and community school districts.[5]

This movement toward setting high standards is accompanied by a general recognition that the system must be for *all students, including limited English proficient students.* We welcome language in *Goals 2000* that defines "all students" as meaning "students or children from a broad range of backgrounds and circumstances, including among others, students or children with limited English proficiency." However, there has not been an explicit analysis of how to incorporate LEP[6] students into systemic reform.

The general recognition that the system must be for all students is backed by civil rights laws that govern the administration of all Federal aid to educational institutions. Title VI of the Civil Rights Act of 1964 bars discrimination on the basis of race, color, and national origin. The U.S. Department of Education interprets the Act and its implementing regulations to require

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[3] *Comments on this document are welcome. They should be addressed to: Kenji Hakuta, School of Education, CERAS Bldg., Stanford University, Stanford, CA. 94305; fax: 415-723-7578.*

[4] Pechman, E. M. & LaGuardia, K. G., *Status of New State Curriculum Frameworks, Standards, Assessments, and Monitoring Systems* (Washington, D.C.: Policy Studies Associates, 1993).

[5] "N.Y.C. to Develop Curriculum Standards for All Schools." *Education Week*, Nov. 17, 1993.

[6] Throughout our discussions, we have been aware of the possibly pejorative connotation of the LEP acronym. Although some interesting alternatives were suggested and have been used in the course of our discussions, we felt that the term had been significantly institutionalized in important areas such as those that bear on the counts of such students, and that changing terminology at the present time would result in confusion and possible damage to the progress that has been made.

that school districts address the language related needs of LEP students; this interpretation has been upheld by the U.S. Supreme Court in *Lau v. Nichols*, 414 U.S. 563 (1974). Section 1703(f) of the *Equal Educational Opportunity Act* (EEOA) of 1975 also lays out the responsibilities of school districts toward the education of LEP students. The EEOA stipulates that failure to take appropriate steps to educate LEP students constitutes a violation of equal educational opportunity.

This paper is an attempt to highlight the substantive issues that arise in incorporating LEP students into systemic reform. Further, it makes recommendations for how to address these issues. Because state and local efforts in this area will most likely be coordinated around the framework of *Goals 2000*, the recommendations, for the most part, follow the format of the Act. The analysis and recommendations are our first attempt to define and shape the national dialogue on how LEP students might profit from this new paradigm.

Vision for Reform

School failure persists among a disproportionate number of language minority students.[7] For Hispanics and Native Americans, dropout rates remain far higher than for other groups.[8] Those who stay in school often graduate without the rigorous preparation needed to compete in the job market. Large numbers of LEP children continue to receive instruction that is substandard to what English speakers receive.[9] This amounts to a two-tiered system of education, with challenging curriculum for some and mediocrity for the rest. There is an urgent need to address the school failure of LEP students given current demographic trends. The U.S. Census Bureau reports that the number of U.S. residents who "do not speak English very well" is growing at a very fast rate—37.3 percent during the 1980s.[10]

Fundamental changes are clearly in order, yet the mechanisms have been elusive. A necessary part of the change is to address the current fragmentation of educational services. States now play a limited role in Title VII (Bilingual Education Act) projects which in turn are rarely coordinated with Chapter 1 (Title I), migrant education, or other federal or state efforts.[11]

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[7] There is extremely limited information at the national level on the outcomes for LEP students because major national studies, such as NAEP and NELS, exclude LEP students due to the unavailability of instruments in languages other than English. However, data from NELS on eighth grade Hispanic students show significant underachievement (approximately 30 percent failure to achieve basic levels of performance in reading and 36 percent in math) and even among students who were judged to have sufficient proficiency in English to take the tests, "those with low proficiency in English failed at a much higher rate than did students with high proficiency" (NCES, *Language Characteristics and Academic Achievement: A Look at Asian and Hispanic Eighth Graders in NELS:88* [Washington, D.C.: U.S. Department of Education, February 1992]). Preliminary data collected on a national sample of LEP students during the 1991-92 school year indicate that of 2.3 million school-aged children nationwide, approximately 200,000 LEP students were assigned to grade levels at least 2 years lower than age-grade norms. H. Fleischman, P. Hopstock, and A. Zehler, "*Preliminary Findings from the National Descriptive Study of Services for Limited English Proficient Students*" (Paper presented at the AERA meeting, Atlanta, April 1993).

[8] NCES, *Are Hispanic Dropout Rates Related to Migration? OERI Educational Research List (TCSVM): Hispanic Dropout Rates* (Washington, D.C.: U.S. Department of Education, November 14, 1992); *Hispanics' Schooling: Risk Factors for Dropping Out and Barriers to Resuming Education.* General Accounting Office, July, 1994 (GAO/PEMD-94-24). See also *Indian Nations at Risk*, (U.S. Department of Education) p. 7.

[9] For a well-documented case of California, see P. Berman, J. Chambers, P. Gandara, B. McLaughlin, C. Minicucci, B. Nelson, L. Olsen, and T. Parrish, *Meeting the Challenge of Linguistic Diversity: An Evaluation of Programs for Pupils with Limited Proficiency in English* (Berkeley, Calif: BW Associates, 1992). See also CCSSO, *School Success for Limited English Proficient Students: The Challenge and State Response.* (Council of Chief State School Officers, February, 1990).

[10] *Numbers and Needs*, 2, 4 (Jul. 1992, p. 1).

[11] For example, the Westat study reported regular coordination between Chapter 1 and bilingual education offices in only one of six SEAs surveyed; *Providing Chapter 1*

Often, this means that resources are dispersed, children's needs are only partially addressed, and no one is held fully accountable. Whether programs succeed or fail, lessons are rarely drawn that could benefit other educators. Another consequence of fragmentation is that the education of LEP students is not conceived as part of any larger mission. Programs to address their unique needs tend to remain ghettoized within SEAs, LEAs, and schools — if not physically, then in administrators' attitudes and practices.[12] Children receiving "special" instruction are not expected to meet the same high standards as mainstream children.

American education today lacks coherent systems to determine what children should learn, what levels of proficiency they should achieve, and what resources and organizational structures are needed to meet these goals. Without a clear systemic vision, it is difficult to plan, implement, or evaluate reforms so that our present efforts can become part of a continuous fabric of school and system improvement activities. Any amount of coherence that might be attained, however, is unlikely to have much impact unless those most directly involved in the teaching and learning process are integrally involved in planning and reforming classroom practice. As a social experiment, the success of systemic reform will ultimately depend on its ability to foster broad-based discourse and involvement.

Implications for LEP Students

Programs for LEP students must be designed and administered quite differently than they currently are. Reorienting American schools away from the old assumptions — that minority children can learn only basic skills and that bilingualism is a handicap to be overcome — will require a comprehensive approach. Reform must be systemic in nature. That is, it must embody "a unifying vision...a coherent direction and strategy for educational reform throughout the system."[13] Such reform will require conscious planning, coordination, and leadership in all instructional components, including curriculum, professional development, assessment, and accountability.

At the same time, such reform must entail a redefinition of roles and responsibilities at all levels, a new structure of governance that is neither "top-down" nor "bottom-up." All stakeholders, including parents, must be involved in the development of a common vision for our children. Those responsible for instruction in schools and LEAs must have the authority and capacity necessary to make that vision a reality. SEAs are strategically placed to take the lead in coordinating the necessary changes in structure to support instructional changes at the school level. This includes eliciting public and professional participation, creating state plans, developing content and performance standards, and providing guidance to school districts in meeting defined goals. Meanwhile, the federal government should continue to provide supplemental resources, build state and local capacity, direct a national research agenda, and ensure equal opportunity.

Systemic reform holds promise for improving instruction and learning for all students, including LEP students. But such an outcome is not a foregone conclusion. Thus far the reform movement has generally sidestepped the particular

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Services, p. 18. This is also indicated by a CCSSO report indicating that there is little coordination between bilingual/ESL programs and the general instructional program, often resulting in discontinuity in the education of LEP students—especially when they are placed in mainstream classrooms and perform poorly; *School Success*, p. 24.

[12] CCSSO, *School Success for Limited English Proficient Students: The Challenge and State Response*. (Council of Chief State School Officers, February, 1990), pp. 20-26.

[13] Marshall S. Smith and Jennifer O'Day, "Systemic School Reform," in S. Fuhrman and B. Malen (eds.), *The Politics of Curriculum and Teaching*, Yearbook of the Politics of Education Association (Bristol, Pa: Falmer Press, 1990), p. 246.

conditions, needs, and strengths of LEP children. Difficult issues remain to be addressed in many areas including, curriculum, instruction, assessment, and leadership. Unless these and other issues are addressed directly, well-intentioned reforms could jeopardize a generation of progress for LEP students.

The reform of educational processes that is under way involves an extensive agenda of curriculum and professional development. These activities recognize that for educational reform to be effective, it requires the engaged participation of teachers and other practitioners who need both personal commitment and significant resources to bring about fundamental changes in their work practices. While substantial progress has been made in developing and understanding changes in learning environments and teaching practices that are beneficial for many students, much less effort has gone into research and practical development that specifically addresses the needs of LEP students.

Major investments are needed in research and development to construct and evaluate learning resources and teaching methods that can effectively provide the benefits of educational reform for LEP students. As has been the case in the general reform movement, efforts to develop these materials and practices need to include analytical studies of their use to inform improvements in subsequent implementations and to provide understanding of what features of the new programs are necessary for their success in other settings.

Standards and LEP Students

Language minority students can greatly benefit from the movement toward higher standards for all. Yet, all too often, this goal is frustrated by a myopic focus on English acquisition, to the virtual exclusion of other subjects. To break the self-perpetuating cycle of low expectations and academic failure, LEP children must be provided access to challenging content while they are acquiring English. For children who face language barriers to achieve high standards, schooling must be tailored to their strengths and needs. It is also essential that pursuit of greater competence in foreign languages as a nation begins with a recognition that LEP students represent an unmatched resource.

This document is based on two overarching principles about the education of LEP students embodied in the Stanford Working Group's *Blueprint for a Second Generation*:

1. Language-minority students must be provided with an equal opportunity to learn the same challenging content and high level skills that school reform movements advocate for all students.
2. Proficiency in two or more languages should be promoted for all American students. Bilingualism enhances cognitive and social growth, competitiveness in a global marketplace, national security, and understanding of diverse peoples and cultures.

RECOMMENDATIONS

The following recommendations are offered to ensure that LEP children are considered—and included—in sweeping proposals now embodied in *Goals 2000*. The recommendations address inclusion, opportunity-to-learn standards, assessment, accountability, and research and development. In addition they address Native American education issues as well as the National Skill Standards Board. In Appendix A, we describe the specific legislative provisions included in *Goals 2000* and provide recommendations for each provision. Appendix B lists participants of the two meetings on systemic reform as well as experts who provided thoughtful commentary incorporated into this document.

Inclusion at All Levels

Goals 2000 establishes a variety of mechanisms to ensure that a wide range of groups, operating at the national, state, and local levels play lead-

ership roles in implementing the new vision of reform. It is essential that persons knowledgeable and concerned about the education of LEP students be included in national, state, and local panels and be encouraged to attend public hearings and participate in evaluative and analytical studies of programs that include LEP students. Moreover, it is imperative that the standards and information related to them be widely disseminated both in English and in those other languages substantially represented in a state.

While ensuring that persons with experience and expertise in the education of LEP students be included in systemic reform efforts, LEP students must also be included in all aspects of reform activities. For example, NESIC, in identifying and developing certification criteria for the standards, should address the extent to which the proposed standards reflect the best available knowledge about how LEP students learn, how the content can be most effectively taught to them, and how they can be assessed; and, these criteria should be revised periodically in the light of results from evaluative and analytical research.

In addition, state and local plans should address the unique needs and contributions of LEP students, and there should be continuing review and improvement of these plans and their implementation, based on studies of their effects.[14] For example, it is important that states in their plans provide assurance that they have statewide criteria for the identification and reclassification of students from backgrounds other than English. States should also describe the strategies they will use to enable LEP students to reach high academic standards, including proficiency in their native languages in states and districts that specify proficiency in non-English languages as part of their plan.

In school districts that enroll LEP students, the LEA plans should specifically address: the recruitment, training, and deployment of teachers and aides to provide effective instruction to LEP students that is based on our knowledge from research and professional experience; the acquisition and use of instructional materials — in all languages substantially present in the school district — equivalent to those provided in the English language curriculum; the most effective means for engaging LEP students in learning; the inclusion of LEP students in all programs, including extracurricular support systems offered by the district; and the development and use of assessment instruments appropriate to measure the academic, linguistic, and social progress of LEP students.

The Standards and the Opportunity to Achieve Them

The content standards should reflect the best available knowledge about how LEP students learn and about how the content can be most effectively taught to them. Moreover, they should incorporate the cultural background and life experiences of culturally diverse children. For example, social studies content standards should reflect the social diversity of the United States. In addition, consideration should be given to certifying the standards only if there is evidence they can be achieved and are in use in

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[14] Identification of limited English proficient students should involve an assessment process that ensures that only students who come from environments where a language other than English is present are classified as LEP. Such an assessment process requires evaluation of the student's oral language skills in both the native language and in English in order to determine whether acquisition of English has been influenced by exposure to another language. In instances where native language assessments are unavailable, students' native language capability can be assessed by education professionals who are fluent in the native language, or by parents. In the case of older students (usually after first grade), eligibility should also be based on academic achievement in English language arts. Given this, states should develop English language arts assessments appropriate for use in both the identification and reclassification of LEP students. Reclassification criteria should ensure that students are reclassified only when they can successfully function in all-English classrooms without special English language assistance or support.

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a state or local district[15], and there should be continuing review of the standards, including evaluation of the resources that are available for their implementation.

Experts agree that LEP students have to acquire English language skills and knowledge that students who arrive in school speaking English already possess.[16] They also agree on the need for supplemental performance and assessment standards for LEP students learning English, and for English as a second language (ESL) teaching standards. Moreover, all agree that professionals in the education of LEP students should take the lead in developing standards that address the specific language learning needs of LEP students.[17]

There is a difference of opinion among experts, however, regarding whether there should be separate ESL content standards or one set of language arts content standards that encompasses ESL content standards. Some experts call for one set of standards because they perceive the overall goals for ESL and English language arts instruction to be the same. Also, they are concerned that if there are separate ESL standards, they may supplant rather than supplement the English language arts standards. They fear that this might result in LEP students being held to different standards than English-only students.[18]

Another group of experts believes that there should be separate content standards that address the specific language learning needs of LEP students.[19] They also believe that these standards should be compatible with and supplementary to these language arts standards. They feel that ESL standards are the bridge that educators must provide to LEP students so that they are better able to attain the same high level language arts standards expected of native English speakers. In addition, they stress that ESL standards should be compatible with content area standards since language proficiency is essential for attainment of content standards in the other academic disciplines.

Given the ongoing debate, the relationship between ESL standards and English language arts standards will need to be worked out through future research/development efforts and collaboration between groups that are developing standards in these areas.

The standards should also acknowledge the importance of the abilities in the non-English languages of LEP students. There should be content and assessment standards that define the native language arts skills and knowledge of LEP students in bilingual education classes. There

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[15] Council of Chief State School Officers, *Preliminary Report: Recommended Criteria and Procedures for Certifying State and Voluntary National Standards for Education* (Washington, D.C., Council of Chief State School Officers, July 1994).

[16] There are some aspects of language proficiency that are assumed to be present in all school-age native speakers of English, such as control of the phonological, syntactic, semantic, and pragmatic aspects of language that are part of normal first language acquisition. Second language learners of English possess these abilities in their native language, but must develop these capacities in their second language.

[17] Fred Genesee emphasizes the importance of having ESL professionals develop ESL standards to ensure that these standards reflect the specific needs of LEP students, are compatible with language arts standards, and are referenced to content area standards.

[18] Rosa Castro Feinberg feels that "the overall goals for ESL and for English instruction should be the same." She adds that, "curricular frameworks for the two fields should maintain commonality in goals but reflect differences in timelines, methods, materials, and teacher preparation requirements for the two distinct subject areas." Shelly Spiegel Coleman reports that in California, the results of separate ESL standards has been that "classroom teachers have had the excuse to not address the language needs of LEP students because they are not bilingual or ESL specialists. Also if ESL is not integrated into a district's language arts program it generally is relegated to an oral short-term program."

[19] Experts such as Fred Genesee and Else Hamayan fear that without separate ESL content standards, English language arts might be viewed as the only instructional component that LEP students need, and that if these students are placed in English classrooms with no additional ESL support, their needs will simply not be met.

should also be standards that accommodate the skills, knowledge, and culture of heritage speakers (students who speak the foreign language as a native language) in foreign language classes. That is, the continuum of skills defined by the foreign language standards should be developmentally appropriate for—and rigorous enough to incorporate—competencies demonstrated by native speakers of languages other than English in these classes. The foreign language standards should be accompanied by standards for assessment. We would encourage collaboration and coordination between the groups developing content and assessment standards in this area.

LEP students should be held to the same high standards as other students. However, in order to successfully compete in content areas taught in English, LEP students must acquire English skills comparable to those of their fluent English speaking peers. Given this, we recommend the certification of additional performance standards in the content areas to measure the progress of students who are limited English proficient until they can be classified as fully English proficient and thus held to the same performance standards as native English speakers.[20, 21]

Setting high expectations for all children will further the cause of educational equity, provided that appropriate, high-quality instruction and other essential resources are available. We propose that States establish a multifaceted approach to enhancing opportunities to learn with provisions to ensure that the unique educational needs of LEP students are met. This approach should include both the enforcement of a core set of standards as well as the use of "indirect" strategies to build the capacity of schools and school districts, and continuing study of the effectiveness of the various kinds of programs that will be developed.[22]

Regarding the setting of core standards, we recommend that the standards be focussed on assuring equal access to learning embodied in the new content and performance standards. These core standards should be legally required and externally regulated by states and the federal government. Examples of core standards that all schools should meet, include, for example, appropriately certified staff and student access to core coursework.[23]

State education agencies should also employ a wide variety of indirect strategies to improve schooling. In these efforts, they should mobilize and cooperate with other institutions to enhance state capacity. One strategy is to provide incentives to school districts to go beyond the core standards (e.g., additional state funds for

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[20] To enable LEP students to meet the standards as expeditiously as possible, we recommend that additional resources be allocated for them, both during the school day (e.g., distance learning, specially designed curriculum) and outside the regular schedule (e.g., summer school and before- and after-school programs).

[21] Walqui and Feinberg recommend that we reform the high school credit system to ensure that LEP students receive high school credit for ESL classes as well as for native language arts classes. Some states are already doing this but it is not a universal practice.

[22] This approach of combining direct and indirect strategies has been elaborated in a recent paper by Richard Elmore and Susan Fuhrman, *Opportunity to Learn and the State Role in Education* (New Brunswick, New Jersey: Consortium for Policy Research in Education, 1994).

[23] For a well-documented case of why core standards are necessary see C. Minicucci and L. Olsen, *Programs for Secondary Limited English Proficient Students: A California Study*, (Washington, D.C: National Clearinghouse for Bilingual Education, *Focus*, Number 5, Spring 1992). They found that "in 27 California intermediate and high schools, regardless of the instructional approach taken to content instruction, fewer than one-fourth of the schools surveyed offer full programs for students learning English. More than half of the high schools and one-third of the intermediate schools have major gaps in their offerings or offer no content courses at all. Thirteen of the twenty-seven schools surveyed either offer few or no content area classes for students." By "access," we mean that LEP students have access to a full complement of class offerings, and that materials and instruction are comprehensible to LEP students through strategies and materials that are specifically geared to the linguistic needs of the students.

schools to run specially designed summer programs to help LEP students meet performance standards). A second strategy is to evaluate projects against benchmarks of excellence, through program quality reviews. California, for example, has a *Program Quality Review System* that relies upon peer review. Benchmarks could include schoolwide and classroom factors that are known to improve the overall education of all children, including LEP students.[24]

A third strategy is to work with colleges, universities and state licensing agencies to increase the number and quality of school personnel prepared to work with LEP students. For example, states which lack a credentialling process for bilingual or ESL teachers, can be assisted in developing such a process. In addition, states might increase the pool of bilingual and ESL teachers through initiatives that recruit bilingual undergraduates and graduates into the teaching profession, enable bilingual paraprofessionals to become certified teachers, provide temporary certification to experienced teachers from other countries whose native languages match those of their potential students, and encourage international fellowship programs for teachers. States can also work with institutions of higher education and school districts to increase the number of school personnel who are prepared to work with LEP students by ensuring that teachers are trained in language development theory, methods for making content accessible to LEP students, and the history and culture of linguistic minorities substantially present in the state.

A fourth approach is working with the legislature and other stakeholders to decrease funding inequities among school districts. This would greatly benefit LEP students, the majority of whom are concentrated in high-poverty districts.[25]

Assessment[26]

Even for English proficient students, few valid and reliable instruments exist for assessing student achievement aligned with new conceptions of knowledge and skills embodied by the content standards, although development efforts are under way.[27] For LEP students, the problem is even more difficult. Current assessment instruments in English are inappropriate because they actually assess both content concepts and language ability, particularly reading comprehension and writing. The interconnection of language and content makes it difficult to isolate one feature from the other. As a result, it is difficult to know whether a student is unable to demonstrate knowledge because of a language barrier or whether the student does not know the content material being tested. Often these assessments, then, simply become measures of LEP student language proficiency rather than measures of content knowledge, as they are intended to be. Valid methods for assessing LEP students' knowledge of content matter in English have yet to be developed. Furthermore, reliable tests in languages other than English

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[24] School improvement efforts should take into consideration the need to address program structure and language policy issues. Often, LEP student needs do not get addressed because the school or district does not know how to structure their school program to best match students needs with teacher strengths and/or abilities.

[25] See M. Moss and M. Puma, *Prospects: The Congressionally Mandated Study of Educational Growth and Opportunity, Interim Report on Language Minority and Limited English Proficient Students* (Cambridge, Mass: ABT Associates, 1994.) Data from the Prospects study indicate that LEP students are overrepresented in high poverty schools (defined as schools where at least 75 percent of the students are eligible for free or reduced price lunches). More than 40 percent of the first grade LEP students and 50 percent of the third grade LEP students attend high poverty schools.

[26] Although the law mentions a variety of purposes for assessment, this document mainly addresses assessment for accountability purposes. The group discussions focused on this aspect of assessment because of the enormous complexity and high stakes nature of this area.

[27] For example, the New Standards Project. Also see Cronbach, L., Bradburn, N. & Horvitz, D., Sampling and statistical procedures used in the California Learning Assessment System. Report of the Select Committee. July 25, 1994. California State Department of Education.

that measure knowledge and skills have been virtually nonexistent. Many of the current reform efforts assume that SEAs and LEAs can stimulate creativity and initiative by giving schools greater flexibility in delivering instruction, while holding them accountable for outcomes. To work effectively, accountability mechanisms must combine well-defined content and performance standards with valid, reliable instruments for assessing student achievement.

In most states, however, LEP students are not assessed for accountability purposes until they have acquired a certain level of English proficiency and/or have been in a school system for a specified period of time.[28] As a result, LEP students are often exempt from testing for accountability purposes. Even when LEP students are included in assessments, scores are often not reported by LEP status. Thus, the data on how LEP students are progressing against the standards of a particular school, district, or state are quite limited and/or not easily accessible. The result is that no one is ultimately responsible for ensuring that LEP students receive high quality instruction comparable to that provided to their English speaking peers.

If the reform process is to make a difference in the education of LEP students, they too must be included in assessments.[29] However, for LEP students, assessments that rely on standardized norm-referenced tests in English have historically been problematic. As previously mentioned, the interconnection of language and content makes it difficult to determine what content an LEP student actually knows. Adding to the problem is that such assessments are generally not aligned with the school curriculum. Furthermore, they are usually normed on non-LEP populations and thus scores cannot be interpreted for LEP students. In short, traditional assessments are not designed with LEP students in mind.

An assumption implicit in *Goals 2000* is that new assessments such as performance based measures and portfolios will change the nature of the teaching/learning process and that these new assessments will enable students to more aptly demonstrate what they know and can do. However, even with new assessment technologies, equity is still a key concern for LEP students. For example, many new assessments emphasize English communication skills as well as subject matter knowledge and thus place a heavy demand on the English skills of LEP students. Moreover, as with traditional assessments, LEP students continue to be exempted from these assessments until they reach a certain level of English language proficiency, thus maintaining the issue of lack of progress and accountability data for these students.

If LEP students are not assessed, no one can really be held accountable for what they know and can do in important content areas. Thus, we recommend that states develop performance assessments that are appropriate for LEP students.

LEP students who are instructed in their native language, should be assessed in that language.[30] LEP students who are better able to demonstrate content knowledge in their native language, even though they have not received native language instruction, should also be assessed in their native language.[31] The native language

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[28] O'Malley, J. M. & Valdez Pierce, L. (in press). State assessment policies, practices, and language minority students. *Educational Assessment.*

[29] LaCelle-Peterson, M. & Rivera, C. (1994). Is it real for all kids? A framework for equitable assessment policies for English language learners. *Harvard Educational Review, 64,* 55-75.

[30] There may be some exceptions. Language minority students who are English dominant, but enrolled in bilingual programs to strengthen their native language, may be better able to demonstrate content knowledge in English and should be assessed accordingly.

[31] Such assessments are particularly important for students who have been educated in other countries and thus are able to demonstrate content knowledge in their native language.

assessments should parallel content assessments and performance standards in English. States with substantial numbers of LEP students in given language groups should include a process in their state plan for developing or borrowing (from other states or entities such as large school districts with substantial LEP students) content area assessments in languages other than English. This process might also involve cooperative efforts among two or more states, or the development of multi-state item banks, and should include persons knowledgeable about the assessment of LEP students and systems serving them.

Modifications in assessments and assessment procedures should be encouraged to enable LEP students to take content assessments in English. These modifications might entail: altering the procedures used to administer the assessments (e.g., giving instructions in the native language, allowing students to respond in their native language, using think-aloud techniques); modifying the assessment itself so it is more comprehensible to LEP students (e.g., decreasing the English language demands, providing bilingual versions); using alternative assessments (e.g., portfolios to collect the student's best work over time); and employing computer-assisted assessments that are tailored to the language needs and content knowledge of LEP students. In all instances, however, it is important to ensure that assessments are equivalent in content and rigor to those used to measure the progress of fluent English speakers.[32] It is not imperative that these assessments be the same as those given to fluent English speakers. However, to gauge the progress of LEP students, the assessments must remain comparable over time.

Until the psychometric issues underlying these new assessments have been addressed, and until mechanisms to ensure opportunities to learn have been fully implemented, these assessments should not be used in high stakes testing for students.

In keeping with the opportunity-to-learn model proposed in this paper, we recommend that states evaluate the extent to which schools and districts implement the "core standards" as well as the merit of indirect strategies in improving student access and participation in high quality learning. In evaluating both core standards and indirect strategies, we recommend that states assess the extent to which they meet the unique needs of LEP students.

Accountability

States should develop systems of school and LEA accountability that fully incorporate LEP students. The performance assessments that are developed should be administered to a sample of students adequate to provide statistically stable estimates for schools and subgroups of students.

In the case of LEP students for whom adequate assessments in the native language are not available, and for whom English language assess-

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[32] There will have to be considerable research and development in the construction and evaluation of these instruments before this becomes a realistic option. David Dolson, Consultant at the California State Department of Education's Bilingual Education Office, on the basis of his experiences and a recent publication entitled "Assessing Students in Bilingual Contexts: Provisional Guidelines" (Bilingual Education Office, California State Department of Education, July 1994), strongly recommends that priority be given to developing content assessments in the native languages of LEP students, rather than adapting content assessments in English for LEP students. First, he calculates that if California developed native language (L1) versions of the statewide assessments for the five largest language groups in California (Spanish, Vietnamese, Hmong, Cantonese, and Cambodian), 87.8 percent of all LEP students would be covered. Second, he raises issues of validity and reliability concerning the adaptation of English versions of the content assessments for LEP students. For example, using both languages in a test could confuse rather than aid bilingual students. Dolson further recommends that after developing content assessments in L1, priority be given first to developing assessments that measure LEP students' proficiency in English comprehension, speaking, reading, and writing and second to developing assessments that measure subject matter knowledge in the core curriculum using portfolio and computer-assisted approaches.

ments are inappropriate, schools may choose to waive content performance assessments conducted in English. However, states must use alternative methods to hold schools accountable for the progress of LEP children who have not been assessed. One option is to require schools to count LEP student assessment scores as zero for these students.[33] Another option is to monitor the progress of LEP students through other means such as teacher ratings and grades.

States should set a limit on how long LEP students can be waived from taking the same performance assessments in English as their English speaking peers. This limit should be based on their English proficiency levels rather than years in school or in English-only programs. We encourage states to assess students as soon as possible.

States should collect and report data on students' performance in the content areas (including ESL and where appropriate, foreign languages) for the school, district and state as a whole, disaggregated by LEP status of the students. In so doing, states should determine what constitutes adequate progress, with the requirement that LEP students demonstrate progress commensurate with these goals.

In making this determination, states should consider the results of the required assessments as well as other measures of school success, such as grade retention and dropout rates. In cases where LEP students fail to make adequate progress, the state should take corrective action, including but not limited to ensuring the implementation of opportunity-to-learn standards.[34]

Research and Development

There is a considerable need for research and development if LEP students are to be equitably and fully incorporated into systemic reform. Many of the research and development issues apply to all students, e.g., how to ensure that schools have the resources to educate students without creating an excessively prescriptive accountability system, or how to make alternative performance assessments sufficiently reliable and valid such that they can be used for accountability purposes.

There are, however, certain issues that are specific to LEP students. For example:

- Is it possible to establish common, standard benchmarks for English proficiency for LEP students within a valid theoretical framework? What are these benchmarks, and how are they related to the English language arts performance standards?
- What are the requisite levels of proficiency in different aspects of English for LEP students to participate in English-only instruction? What are the measurement issues associated with the determination of these aspects? How do these proficiency requisites vary by subject and grade?
- How are content knowledge and language proficiency related? What are the implications for the development of better assessments of students' content knowledge?
- What are effective instructional strategies or environments that "work" for LEP students? How does this interact with the background of LEP students? What level of empirical support should be evident before strategies or environments are promoted as effective?

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[33] In most cases, any score is better than no score since exempting students from assessments limits opportunities to evaluate their progress over time. Recognizing the limitations of traditional assessments, alternatives other than exempting LEP students from assessments should be developed to measure the academic progress of these students and to help ensure that accountability mechanisms include LEP students. If a state, school, or district fails to provide appropriate alternative assessments, it is recommended that students exempted from testing be assigned a score of zero, and that these zero scores be figured in the calculation of group measures of achievement.

[34] As mentioned above, core opportunity-to-learn standards should be enforced independent of school outcomes.

What modifications can be made in large-scale assessments (both in the assessments themselves and in the procedures used to administer them) to incorporate more LEP students? What do these modifications do to the reliability and validity of the assessments?
How can process variables critical to opportunity-to-learn standards be measured and evaluated?
How can instruction be made comprehensible to content ready LEP students when they participate in English-only classrooms, irrespective of English proficiency?
How can programs supported through federal, state, and local funds be coordinated and integrated to best serve the needs of LEP students?

There is strong support for collaboration between researchers and practitioners in the conduct of research and for research that is conducted in "real" environments. In this way, the research will be useful to practitioners and informed by real world problems, and at the same time push the methodological and theoretical purists to test the limits of their endeavors.

Native American Issues

The following section discusses two major issues related to the participation of Native American governmental groups in the *Goals 2000* process. One has to do with the participation of tribes in the formulation of plans, standards, and assessments in the areas of Native American language and culture.[35] The other deals with the role of tribes in coordinating such plans, standards, and assessments across district or state lines. In *Goals 2000*, Native American governments and their tribal education departments[36] seem to have been inadvertently marginalized or excluded.

The relationship of Native Americans to the federal government is different from that of other ethnic groups in that it is based on historical, legal, government-to-government relationships. Native American tribes are largely self-governing groups with extensive residual sovereignty. It has been federal policy, reaffirmed in law and practice, to treat Native American groups on a government-to-government basis.

In *Goals 2000*, however, this does not seem to be the case. In the current law, a Native American might be named as an individual to NESIC. A representative of a tribal government may be included "as appropriate" on a state reform panel, but even here s/he may be expected to represent not just his or her tribal government but all the Native Americans in the state. Three representatives of tribal governments are to be included in the BIA state school reform panel, but here, too, they are expected to represent not their tribes but all Indians in Bureau-funded schools. Native Americans may be included, as individuals, on panels formulating various state standards, and on district-level school reform panels.

Because the unique needs and strengths of Native American children must be considered in the implementation of *Goals 2000*, we offer the following recommendations regarding language and culture, and coordination.

Language and Culture

Most Native Americans have become increasingly concerned about the teaching of Native American languages and cultures in the schools. Recent Congressional testimony indicates that of the approximately 155 Native American languages still spoken, only 20 still have children who speak the language. While schools alone cannot save Native American languages, it will be very difficult for most Native American groups

[35] Native American languages might come under the Foreign Language standards. At least some aspects of Native American culture might come under the History and the Civics/Government standards.

[36] The term "tribal education department" refers to that part of a tribe's government, if any, that deals mainly with education. It does not refer to the Indian Education Department of a state government.

to do so without the school's assistance. Tribal education departments want a major role in discussions at both the state and the local levels regarding Native American language and culture in those schools with majorities or substantial minorities of students from a given tribe. The tribes feel their future as a people depends upon being able to reach their own students in these essential areas.[37]

We recommend, therefore, that in schools or districts with substantial minority or majority populations of Native American children from a given tribe, the appropriate departments of education as well as the parents of those children be involved in formulating educational plans, standards, and assessments, especially as they relate to the language and culture of those tribes.

Coordination

Goals 2000 treats Bureau of Indian Affairs-funded schools (both Bureau-operated and contract/grant schools) as a "state." As a state, they will establish their own state plan, standards, and assessments. This will lead to situations where students from the same tribe, or community, or even family, will be educated according to the plans, standards, and assessments of two or more different states. An extreme example is the situation of Navajo majority schools in Arizona, New Mexico, Utah, and the Bureau, where native American children from the same tribe might be educated according to four different state plans. Moreover, with the advent of explicit state standards, we can expect these state standards and practices to become increasingly divergent, leading to greater diversification in educational programming.

To address this issue, we recommend that tribal divisions of education, as well as parents of Native American children, help coordinate plans, standards, and assessments in the areas of Native American language and culture across districts and states where there are schools with majorities or substantial minorities of students from a given tribe. The educational unit with which the tribal government collaborates will depend on the distribution of Native American students from any given tribe.[38] Finally, to address these complex issues and possible solutions, we recommend that the Department of Education convene a special meeting of representatives from the Native American community, including tribal departments of education, to further discuss the implementation of *Goals 2000* (and IASA) for Native American students.

National Skill Standards Board

We are pleased that Title V of *Goals 2000: Educate America Act*, the National Skill Standards Board, is required to endorse voluntary skill standards that are not discriminatory with

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[37] *Indian Nations at Risk: An Educational Strategy for Action.* Washington, D.C.: U.S. Department of Education, 1991.

[38] One possible solution to this complex situation might be as follows. (1) Where students from a given tribe (or language group) constitute a majority or a substantial minority in at least one school in a district, representatives of that tribal education department and parents of these Native American children will be given the opportunity to work with district personnel to formulate language and culture standards for the children in that district (e.g., Hualapai students constitute a majority only in the Peach Springs district). (2) Where students from a given tribe (or language group) constitute a majority or substantial minority in at least one school each in two or more districts in a state, representatives of the tribal education department and parents of these Native American children will be given the opportunity to formulate language and culture standards for children in these districts by working with district personnel and the state education agency. For example, there may be as many as a dozen Navajo majority school districts in Arizona alone. (3) Where members of a given tribe (or language group) constitute a majority or a substantial minority in at least one school each in two or more states (including here the Bureau as a state), representatives of the tribal education department and the parents of these children will be given the opportunity to formulate language and culture standards in these districts by working with district personnel and the "state" education agencies. For example, White Mountain Apache students constitute a majority in both White River public schools (Arizona) and the Fort Apache Agency schools (Bureau). The term "language group" above is meant to address situations such as that of schools with majorities, or substantial minorities, of Dakota or Lakota students coming from different tribes.

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respect to, among other things, race, color, ethnicity, or national origin, consistent with federal civil rights laws. We support the activities of the National Skill Standards Board, but want to ensure that LEP students have access to the full range of skills to prepare them for employment at every level. To accomplish this the National Skill Standards Board should consider the following recommendations as it moves forward to implement this Title.[39]

In terms of inclusion, we recommend that the National Skill Standards Board include persons with expertise in preparing LEP students for the workforce, with special consideration given to individuals from organizations, agencies, and institutions that have historically been involved in educating language minority students for the workplace. Voluntary partnerships, established to develop standards in identified occupational clusters, should also include persons with expertise in the education of LEP students. Further, we recommend that the skill standards that are developed be responsive to LEP students. For example, the extent to which workers can communicate in more than one language is an important asset in some communities and occupations and should be acknowledged as one certification criterion. In addition, there is a need to address the issue of recertification for immigrant workers. They may already possess occupational skills and knowledge in their native language and not need to reacquire them, but may need some occupational retraining as well as the development of English communication skills.

Title V authorizes research, dissemination, and coordination to support the work of the voluntary partnerships and the Skill Standards Board. We recommend that research be conducted to determine how best to prepare LEP students to attain the skill standards. In addition, research on how to assess these students to determine if they have met the skill standards is urgently needed. Moreover, there must be a serious effort to develop and adapt curricula and training materials for LEP students that will enable them to meet the skill standards. For example, there is a need for native language materials, specially designed English materials to make the content accessible to LEP students as well as to teach them the English language skills necessary for their profession. Finally, because few organizations have experience with LEP students, technical assistance must be provided to the voluntary partnerships to enable them to develop skill standards and assessments that meet the unique needs and strengths of LEP students.

The law requires a nondiscriminatory assessment and certification system with respect to race, color, gender, age, religion, ethnicity, disability, or national origin. We recommend that assessments of workforce skills be developed and conducted in the native languages of students substantially represented in the United States so that LEP students can demonstrate workplace knowledge and skills in their native language. We also recommend the development of assessment procedures to determine that LEP students have sufficient English proficiency to successfully communicate in the workplace. English proficiency should also include facility in the language specific to a given profession (e.g., nursing requires knowledge of a specific lexical repertory as well as styles of communication than auto mechanics or paralegal work).

Finally, in evaluating the implementation of skill standards, and assessment and certification systems, we recommend that the evaluations address the extent to which LEP students succeed at meeting the skill standards.[40]

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[39] Although not specifically authorized by this Title, it is essential to increase the number of personnel prepared to successfully educate LEP students for the work force so that the recommendations that follow become feasible.

[40] Extent of success should be measured in terms of those who are in training programs compared with those who become certified, as well as those who attempt certification compared with those who become certified.

Appendix A: Specific Recommendations

U.S. DEPARTMENT OF EDUCATION

Opportunity-to-Learn Development Grants

The Secretary will be authorized to make one or more grants, on a competitive basis, to a consortium of individuals and organizations to develop voluntary national opportunity-to-learn standards. As required by law, one-third of the members of each consortium must consist of individuals with expertise or background in the educational needs and assessment of children who are from low-income families, are from minority backgrounds, have limited English proficiency, or have disabilities.

Recommendation: Members should include representatives with expertise in the education of LEP students and the voluntary national opportunity-to-learn standards should address the specific needs of LEP students.

Assessment Development and Evaluation Grants

The Secretary will be authorized to make grants to states and LEAs to help defray the cost of developing, field testing, and evaluating systems of assessments that are aligned to state content standards certified or potentially certified by the Council. We concur with provisions in the law that set aside a portion of funds for developing assessments in languages other than English.

Recommendation: We recommend that assessments in languages other than English aligned with state content standards be developed, field-tested, and evaluated.

Recommendation: We recommend that innovative approaches to incorporating LEP students into English assessment systems be explored.[41]

Evaluation of NESIC and the Goals Panel

A grant will be made to the National Academy of Sciences or the National Academy of Education to evaluate the technical quality of the work of the Goals Panel and NESIC and the process for the development and use of criteria for certification of standards and assessment used by the Goals Panel and NESIC.

Recommendation: The evaluation process should include an assessment of the extent to which the provision to include "all students" is operationalized and monitored by NESIC and the Goals Panel. Persons knowledgeable about the education of LEP students should be included in this review process.

State Planning for Improving Student Achievement through Integration of Technology into the Curriculum

The Secretary will award grants to each SEA that requests a grant, to develop a systemic statewide plan to increase the use of state-of-the-art technologies that enhance elementary and secondary student learning and staff development in support of the National Education Goals and challenging standards.

Recommendation: LEP students should be explicitly incorporated into statewide plans to increase the use of state-of-the-art technologies.

Technical Assistance

The U.S. Department of Education will provide technical assistance to states and professional associations so they can implement systemic reform.

Recommendation: The U.S. Department of Education should provide funds to develop mate-

[41] Such approaches might entail altering the procedures used to administer the assessment (e.g., giving instructions in students' native languages, allowing students to respond in their native languages, coaching the students through the assessment), modifying the assessment itself so it is more comprehensible to LEP students, using alternative forms of assessment such as portfolios, and exploring computer-assisted assessments that are tailored to the language needs and content knowledge of LEP students.

rials that will enable LEP students to learn the skills and knowledge embodied by the content standards. In addition, in any technical assistance it sponsors, the Department should ensure that the needs of LEP students are fully considered (e.g., in helping States plan for systemic reform, in funding associations and states to "flesh out" certification criteria for the standards and state plans, and in helping voluntary partnerships develop skill standards appropriate for LEP students).

THE GOALS PANEL AND NESIC

Composition of the Goals Panel and National Education Standards and Improvement Council (NESIC)

Groups operating at the national level will play leadership roles in implementing the new vision of reform. *Goals 2000* authorizes the National Education Goals Panel and the National Education Standards and Improvement Council (NESIC). The Goals panel will be composed of 18 members, 2 appointed by the President, 8 governors, 4 members of Congress, and 4 members of State legislatures.

NESIC will be composed of 19 members—11 appointed by the President from nominations received from the Secretary and Speaker of the House, 4 nominations by the Majority Leader of the Senate and 4 nominations by the National Education Goals panel. Members will be selected from a broad range of categories including professional educators and education experts, representatives of business, industry, and the public. We support provisions that require not less than one-third of the individuals nominated and appointed have expertise or background in the educational needs of children who are from low-income families, from minority backgrounds, have limited English proficiency, or have disabilities.

Recommendation: It is essential that both groups include persons knowledgeable and concerned about the education of LEP students.

Responsibilities of the Goals Panel

Responsibilities of the Goals Panel include: building a national consensus for education improvement; reporting on national and state progress toward achieving the national education goals and on state progress in implementing opportunity-to-learn standards and strategies; reviewing the criteria developed by NESIC to certify state assessments and content, student performance, and opportunity-to-learn standards; reviewing voluntary national content, student performance, and opportunity-to-learn standards certified by NESIC; and reporting on promising actions being taken at the national, state, and local levels to achieve the national goals.

Recommendation: The Goals Panel, in reporting on progress that the Nation and States are making toward achieving the national education goals and the progress states are making in implementing opportunity-to-learn standards and strategies, should report specifically on how these efforts impact LEP students.

Recommendation: In reviewing the criteria developed by NESIC to certify State content standards, State student performance standards, State assessments, and State opportunity-to-learn standards, the Panel should ensure that the criteria guarantee that LEP students will be fully and equitably incorporated into all reform efforts.

Recommendation: In reviewing the voluntary national content standards, voluntary national performance standards, and voluntary national opportunity-to-learn standards certified by NESIC, the Goals Panel should ensure that they include specific information regarding how such standards apply to LEP students.[42]

[42] In reviewing early drafts of the national content standards, we found that despite explicit principles that they apply to all students (i.e., that they should be reflective of a multicultural society, should build on students' first languages and home culture, and that all students should have the opportunity to learn) there is very little specific information or guidance regarding how this will occur.

Recommendation: In reviewing the certification criteria, the Goals Panel should ensure that they give a place to Native American languages and social studies in all schools with substantial Native American enrollment.

Recommendation: When reporting on promising actions being taken at the national, state, and local levels to achieve the national goals, the Panel should describe how these actions have affected LEP and Native American students.

Responsibilities of NESIC

NESIC is responsible for identifying areas in which voluntary national content standards should be developed, identifying and developing criteria to be used for certifying voluntary national content and student performance standards, and certifying these voluntary standards and the standards proposed by states, if such standards are comparable or higher in rigor to the voluntary national standards.

NESIC will also certify state assessments if such assessments are aligned with the state's content standards. In determining appropriate certification criteria for State assessments, NESIC is required to consider the standards and criteria being developed by other national organizations, research on assessment, and emerging new State and local assessments, recommend needed research, encourage the development and field testing of State assessments, and provide a public forum for discussing, debating, and building consensus for the criteria to be used in certifying state assessments.

Recommendation: NESIC, in identifying and developing certification criteria, should address the extent to which the proposed standards reflect the best available knowledge about how LEP students learn, how the content can be most effectively taught to them, and how they can be assessed; these criteria should be revised periodically in light of results from evaluative and analytical research.[43]

Recommendation: The certification criteria should address the extent to which the proposed standards incorporate the cultural background and life experiences of linguistically and culturally diverse children. For example, social studies content standards should reflect the social diversity of the United States.

Recommendation: Consideration should be given to certifying standards only if there is evidence they can be achieved and are in use in a state or local district. Further, examples of student performance that meet the standards as well as a description of the conditions needed for students to reach this level of performance should be included as part of the submission

Recommendation: In regard to performance standards, NESIC should consider that LEP students may take longer to achieve the performance standards set for fluent English speakers. It may consider certifying additional performance standards that measure LEP student progress until they can be classified as fully English proficient and thus held to the same performance standards as other students.

Recommendation: NESIC should certify supplemental performance and assessment standards for limited English proficient students in ESL, as well as teaching standards for ESL. In addition, content standards in English must be certified that are calibrated to aspects of the language that need to be learned by ESL students, but are otherwise not addressed by content standards for English language arts. The relationship between these new ESL standards and content standards in English language arts will need to be

[43] For example, many LEP students will be acquiring content knowledge and skills in their second language. To the extent that the standards are essential and feasible, LEP students (as well as all other students) will have a better chance of acquiring the most important and enduring knowledge and skills in each discipline. Moreover, for the same reason LEP students will benefit from any formulation of "overarching" standards by kindred disciplines.

worked out through future research/development efforts and collaboration between groups that are developing standards in these areas.[44]

Recommendation: The standards should also acknowledge the importance of the abilities in the non-English languages of LEP students. There should be content and assessment standards that define the native language arts skills and knowledge of LEP students in bilingual education classes. There should also be standards that accommodate the skills, knowledge, and culture of heritage speakers (students who speak the foreign language as a native language) in foreign language classes. That is, the continuum of skills defined by the foreign language standards should be developmentally appropriate for — and rigorous enough to incorporate — competencies demonstrated by native speakers of languages other than English in these classes. The foreign language standards should be accompanied by standards for assessment. We would encourage collaboration and coordination between the groups developing content and assessment standards in this area.

Recommendation: In certifying exemplary national and state opportunity-to-learn standards, NESIC should ensure that such standards explicitly address the needs of LEP students. We propose a multifaceted approach to setting standards that includes the enforcement of a core set of standards as well as indirect strategies to enable all schools to fully educate LEP students.

Recommendation: Until the psychometric issues underlying new assessments have been addressed, and until mechanisms to ensure opportunities to learn have been fully implemented, NESIC should not certify these assessments for high stakes purposes for students.

Recommendation: In certifying all the standards, NESIC should address the extent to which the proposed standards have been developed through a process that provides for input and involvement of parties knowledgeable and concerned about the education of LEP students. In particular, in their efforts to determine appropriate certification requirements for the State assessments, we urge NESIC to involve persons with expertise in the assessment of LEP students.

Recommendation: Because we are just beginning to think about and experiment with certification criteria, we recommend that a process be put in place to ensure there is continuing research, evaluation, and revision of these criteria.

STATE AND LOCAL EDUCATION SYSTEMIC IMPROVEMENT

Composition and Responsibilities of the Panel

The state improvement plan must be developed by a broad based panel in cooperation with the SEA and the governor. The governor and the chief state school officer will each appoint half of the members and jointly select the chair of the panel. The panel must be geographically representative and reflect the racial and ethnic diversity of the state's population and include: the governor and the chief state school officer, or their designees; the chair of the state board of education and the chairs of the appropriate authorizing committees of the state legislature, or their designees; teachers, principals, and administrators who have successfully improved student performance; representatives of a broad range of other organizations, institutions, and agencies interested and involved in education and related services; and parents.

The Act requires that membership in the panel reflect the diversity of the population of the State and that it be composed of members with expertise or background in the educational needs or

[44] As noted in our narrative, there is a difference of opinion among experts regarding whether there should be separate ESL content standards or one set of language arts content standards that encompasses English as a second language content standards.

assessments of children from low-income families, children with minority backgrounds, children with limited English proficiency, or children with disabilities in proportionate numbers to such students in the state or is at least one-third of the number of panel participants.

The panel is responsible for conducting a statewide, grassroots outreach process to ensure that all with a stake in the success of students and their education system and who are representative of the diversity of the State and the State's student population are involved in the development of the State improvement plan and in a continuing dialogue regarding the need for and nature of standards for all students and local and State responsibilities for helping all students achieve such standards.

Recommendation: The panel should include persons knowledgeable about and involved in the education of LEP students, including LEP secondary students and parents of LEP students. Also, it should fully involve representatives of Native American groups and tribal education departments (or their equivalents) within a state.

Recommendation: It is critical that people with expertise and interest in the education of LEP students and who have historically worked with these children be given the opportunity to participate in the process of developing a state plan.

Recommendation: Information related to the State Plan and its implementation should be made available in languages substantially represented in the state and, when necessary, discussions should be conducted in non-English languages so as to give parents of LEP students and community members an opportunity to participate.

The State Plan: What It Will Establish

Comprehensive planning is an important element in systemwide initiatives to improve schools. *Goals 2000* authorizes federal grants to SEAs for the purpose of developing a state plan to improve the quality of education for all students. The state plan will establish: teaching and learning standards; assessments aligned to these standards; and opportunity-to-learn standards or strategies for providing all students with the opportunity to learn. In addition it will establish strategies for: improving governance, accountability, and management; involving parents and other community representatives in planning, designing, and implementing the state improvement plan; making the improvements systemwide; promoting bottom-up reform; decreasing school drop-out rates; incorporating school-to-work programs into the school reform efforts of the state. State plans will also include benchmarks for implementation of the plan and for improved student performance, strategies for coordinating the integration of academic and vocational instruction, and strategies for program improvement and accountability.

Recommendation: States in their plans provide assurance that they have statewide criteria for the identification and reclassification of students from other than English backgrounds. States should also describe the strategies they will use to enable LEP students to reach high academic standards in their native languages in states and districts that make proficiency in the non-English languages their goal.

Recommendation: The content and performance standards developed by each state should apply to LEP students as well as all other students.[45]

Recommendation: State reform plans should incorporate Native American languages and social studies in all schools with substantial Native American enrollments.

Recommendation: States should establish a multifaceted approach to setting opportunity-to-

[45] Please see our specific recommendations regarding LEP students and content and performance standards in a prior section describing the responsibilities of NESIC.

learn standards, with provisions to meet the unique education needs of LEP students. This should include both enforcement of a core set of standards and indirect strategies to ensure schools help students achieve high standards:

Enforcement of a core set of standards that all schools must meet (e.g., appropriately certified staff and student access to core coursework): These standards should be legally required and externally regulated by states and the federal government.

Use of indirect strategies: Examples include: incentives to school districts to go beyond these core standards (e.g., providing resources for schools who run summer school programs that help LEP students meet performance standards); promoting improvement through peer reviews; in conjunction with other institutions, making special efforts to overcome the shortage of educational personnel trained to serve LEP students; working with the legislature and other stakeholders to decrease funding inequities among school districts.

Assessment Provisions

Recommendation: The state plan should describe how the needs of LEP students will be addressed in the design and implementation of any assessment systems that may be developed.

Recommendation: The state should develop assessments of performance and opportunity-to-learn standards aligned with state content standards that are appropriate for LEP students.

Recommendation: LEP students who are instructed in their native language, should be assessed in that language. Students who are better able to demonstrate content knowledge in their native language, regardless of language of instruction, should also be assessed in their native language. These native language assessments should parallel the content assessments in English in both content assessed and performance standards that are established.

Recommendation: Modifications in assessments and assessment procedures should be encouraged. In all cases, there should be state guidelines for mediated and alternative assessments to ensure that the assessments are as reliable and valid as possible.

Accountability Provisions

Recommendation: The state should develop a system or systems of school and LEA accountability that fully incorporate LEP students. The performance assessments that are developed should be administered to a sample adequate to provide statistically stable estimates for schools and subgroups of students disaggregated by LEP status.

Recommendation: In the case of LEP students for whom adequate assessments in the native language are not available, and for whom English language assessments are not appropriate, the school may choose to waive content performance assessments conducted in English. However, states must use alternative methods to hold schools accountable for the progress of these LEP students. One option is to record zeroes for those LEP students that have not been assessed. Another option is to monitor the progress of LEP students through other means such as teacher ratings and grades.

Recommendation: There should be state guidelines for how long and on what grounds LEP students are exempted from taking the same performance assessments in English as their English-speaking peers. States should set a limit on how long LEP students can be exempted from taking the state performance assessments in English and this limit should be based on their English proficiency levels rather than years in school or in English-only programs. We encourage states to assess students as soon as possible.

Recommendation: States should collect and report data on students' performance in the content areas (including ESL and where appropri-

ate, foreign languages) for the school, district and state as a whole, disaggregated by LEP status of the students.

Recommendation: In so doing, states should determine what constitutes adequate progress, with the requirement that LEP students demonstrate progress commensurate with these goals. In making this determination, states should consider the results of the required assessments as well as other measures of school success, such as grade retention and dropout rates. In cases where LEP students fail to make adequate progress, the state should take corrective action, including but not limited to ensuring the implementation of opportunity-to-learn standards.

State Use of Funds

After the first year, state education agencies must use at least 90 percent of their allotment to make subgrants to LEAs for the implementation of the State improvement plan and the local improvement plans and to improve educator preservice programs and for professional development activities that are consistent with the state plan.

State education agencies can use the remainder of the funds for state activities to implement the State improvement plan. Such activities include, among others: supporting the development and implementation of State standards and assessments, supporting the implementation of high performance management and organizational strategies; supporting the development and implementation at the LEA and building level of improved human resource development systems; attending to the special needs of, among others, LEP students; technical assistance and support for teachers, schools, LEAs, and others to improve teaching and learning, assessment, and accountability.

Recommendation: We fully support the provision that State activities attend to the special needs of LEP students but urge that such attention be integrated into all State activities to implement the State improvement plan.

SUBGRANTS FOR LOCAL REFORM AND PROFESSIONAL DEVELOPMENT

Local Education Agency Grants

LEAs wishing to receive funds must submit an application to the SEA that is developed by a broad based local panel, appointed by the LEA, which is representative of the diversity of the students and community and includes teachers, parents, school administrators, business representatives, and others. The LEA is responsible for informing the LEA appointed panel of progress toward reaching the goals of the local improvement plan.

The LEA application must include: a comprehensive local plan for districtwide improvement that is consistent with the state's improvement plan; a description of how the LEA will encourage schools to develop plans; information about how the LEA will implement programs to ensure improvements in school readiness; a description of how funds will be used; an identification of any federal or state requirements that it might need waived to implement its plan.

Recommendation: School staff and community members that represent LEP students should participate in discussions of additional local standards for curriculum and instruction.

Recommendation: In districts with substantial minority or majority populations of Native American children from a given tribe, the appropriate tribal departments of education as well as the parents of these children must be involved in formulating education plans, standards, and assessments, especially as they relate to the language and culture of these tribes.

Recommendation: The educational needs and contributions of LEP students must be considered in the LEA plans. In school districts that

enroll LEP students, the LEA plans should specifically address: the recruitment, training, and deployment of teachers and aides to provide effective instruction to LEP students that is based on our knowledge from research and professional experience; the acquisition and use of instructional materials — in all languages substantially present in the school district — equivalent to those provided in the English language curriculum; the most effective means for engaging LEP students in learning; the meaningful participation of language minority parents; the inclusion of LEP students in all programs, including extracurricular support systems, offered by the district; and the development and use of assessment instruments appropriate to measure the academic, linguistic, and social progress of LEP students.

Recommendation: LEA plans must give a place to Native American languages and social studies in all districts with schools with substantial Native American enrollments.

Distribution of LEA Funds to Schools

After the first year, LEAs must distribute 85 percent of funds to individual schools to support school improvement initiatives toward providing all students in the school the opportunity to meet high academic standards. In any year, 50 percent of funds to individual schools will be made available to schools with a special need for such assistance, as indicated by a high number or percentage of students from low-income families, low achievement, or other similar criteria developed by the LEA. The LEA may waive this provision if there are not enough schools that apply for the grant for the LEA to comply.

Recommendation: LEAs must ensure that all schools in the district are aware of their right to apply for funds to support school improvement initiatives.

Preservice Teacher Education and Professional Development Consortia

SEAs will make competitive, peer reviewed grants to LEAs or consortia of LEAs, IHEs, private nonprofit organizations, or combinations of these entities. To apply for grants, consortia must submit an application to the SEA that: describes how funds will be used to improve teacher preservice and school administrator education programs or to implement educator professional development activities consistent with the state plan; identifies the criteria to be used to judge improvements in preservice education or the effects of professional development activities; and contains other information the SEA determines to be appropriate.

Grantees must use funds for activities supporting the improvement of preservice teacher education and school administrator programs so that educators are prepared to help all students reach challenging standards and the development and implementation of new forms of continuing and sustained professional development opportunities for educators.

Recommendation: States should ensure that grant funds are used to support the following activities: improving teacher preservice and school administrator programs for personnel working with LEP students; increasing the pool of teachers specializing in the education of LEP students, particularly for LEAs that are experiencing ESL and bilingual teacher shortages; increasing the knowledge base of all teachers and administrators regarding the education of LEP students.

Appendix B: Participants

Participants at two meetings on systemic reform and LEP students sponsored by Stanford University and the Office of Bilingual Education and Minority Languages Affairs included the following people:

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For All Students: Limited English Proficient Students and Goals 2000

Key experts and stakeholders developed recommendations for the inclusion of limited English proficient students in activities authorized through *Goals 2000*. This paper offers recommendations on inclusion, standards (content, performance, and opportunity-to-learn), assessment, accountability, and research and development. An appendix describes specific legislative provisions in *Goals 2000* and provides recommendations for each provision.

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